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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/699,696

11/04/2003

Akio Maeda

1837.1007

5837

21171

7590

12/28/2005

STAAS & HALSEY LLP

SUITE 700

1201 NEW YORK AVENUE, N.W.

WASHINGTON, DC 20005

EXAMINER

KIANNI, KAVEH C

ART UNIT

PAPER NUMBER

2883

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

In a telephone interview with applicant's attorney of the record Mr. Garner was informed, on 12/13/05, of not mentioning the election, in the paper submitted on 10/19/05, which of the species (A or B) the applicant elects to be examined; Mr. Garner later called the examiner to examine species A, claims 1-4. Thus, applicant's election without traverse of claims 1-4 in a paper submitted on 10/19/05 and the telephone affirmation of 12/14/05, is acknowledged. The requirement is still deemed proper and is therefore made FINAL.

Specification

The disclosure is objected to because of the following informalities: The word 'Si' needs to be spelled out within the specification. Appropriate correction is required.

Claim Objections

Claim 1 is objected to because of the following informalities: the limitation 'si' needs to be spelled out. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2883

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation 'the lower surface' in 6th-7th lines. There is insufficient antecedent basis for this limitation in the claim. Correction is required.

Claim 1 is ambiguous, since the term 'is left' in the 16th line of the claim is not clearly defined as whether the applicant means that a portion of the photoresist is exposed or it is etched away. Correction is required.

Allowable Subject Matter

Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 2-4 are allowable because the prior art of record, taken alone or in combination, fails to disclose or render obvious their respective limitations in combination with the rest of the limitations of the base claim.

Citation of Relevant Prior Art

Prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In accordance with MPEP 707.05 the following references are pertinent in rejection of this application since they provide substantially the same information disclosure as this patent does. These references are:

Yoshumura et al. 20020097962

Yoshumura et al. 20020039464

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Yoshumura et al. 6706546

Foresi et al. 6108464

Lee 20040037497

US 5764832 A Tabuchi; Haruhiko

US 4750799 A Kawachi; Masao et al.

These references are cited herein to show the relevance of the apparatus/methods taught within these references as prior art.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Cyrus Kianni whose telephone number is (571) 272-2417.

The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 6:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font, can be reached at (571) 272-2415.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306 (for formal communications intended for entry)

or:

Hand delivered responses should be brought to Crystal Plaza 4, 2021 South Clark Place, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-0956.

K. Cyrus Kianni
Primary Patent Examiner

AU 2883

12/21/09

**KAYEH KIANNI
PRIMARY EXAMINER**

